

## **SUBSTANTIVE RIGHTS PROTECTED BY INTERNATIONAL HUMAN RIGHTS INSTRUMENTS (ICCPR, ACHR, ECHR, ACHPR\*)**

	<a href="#"><u>International Covenant on Civil and Political Rights (1966)</u></a>	<a href="#"><u>American Convention on Human Rights (1969)</u></a>	<a href="#"><u>European Convention for the Protection of Human Rights and Fundamental Freedoms (1950)</u></a>	<a href="#"><u>African Charter on Human and Peoples' Rights (1981)</u></a>
The right to life	Article 6	Article 4	Article 2	Article 4
Prohibition of torture and other ill-treatment	Article 7, 10	Article 5	Article 3 - not 'cruel' treatment	Article 5
Prohibition of slavery and forced labour	Article 8	Article 6	Article 4	Article 5
Right to liberty and security	Article 9, 10	Article 7	Article 5	Article 6
Right to freedom of movement	Article 12	Article 22	Article 2 Protocol No. 4	Article 12
Right to a fair trial	Article 14	Article 8 , 9, 10	Article 6, Protocol No. 7	Article 7, 26
No punishment except as provided by law	Article 15	Article 9	Article 7	Article 7
Right to respect for private and family life	Articles 17, 23	Articles 11, 17	Article 8	— no privacy but family protected by Article 18
Freedom of thought, conscience and religion	Article 18	Article 12	Article 9	Article 8
Freedom of expression	Article 19	Article 13	Article 10	Article 9
Freedom of association	Article 22	Article 16	Article 11	Article 10
Freedom of assembly	Articles 21	Articles 15	Article 11	Articles 11

Right to marry	Article 23	Article 17	Article 12	—
Right to an effective remedy	Article 2.3	Article 25	Article 13	—
Right to work	—	Articles 6, 7 <a href="#">Protocol of San Salvador</a>	—	Article 15
Free elections	Article 25	Article 23	Article 3 Protocol No. 1	Article 13
Right to culture	(Article 27)	Article 14 Protocol of San Salvador	—	Article 22
Protection of minorities	Article 27	—	—	—
Right to property	—	Article 21	Article 1 First Optional Protocol	Article 14
Right to self-determination	Article 1	—	—	Article 20
Right to equal treatment and the prohibition of discrimination	Article 2, 3, 26	Article 1, 24	Article 14 and Protocol No. 12	Article 2, Article 3, Article 18(3), Article 28
Asylum	— (7)	Article 22(7) ‘right to seek and be granted asylum in a foreign territory, in accordance with the legislation of the state and international conventions, in the event he is being pursued for political offences or related common crimes’	—	Article 12.3 ‘to seek and obtain asylum in other countries in accordance with laws of those countries and international conventions’
Prohibition of expulsion of aliens	Article 13	Article 22(8)	Article 22	Article 12

Right to health	—	Articles 10 and 11 Protocol of San Salvador	—(Article 11 <a href="#">European Social Charter</a> )	Article 16  — (Article 2(3) <a href="#">Convention Governing the Specific Aspects of Refugee Problems in Africa</a> )
Principle of non-refoulement	Article 7 (implicit)	Article 22(8)	Article 3	
Economic, social and cultural rights	— Protection through Articles 26 and 27	Article 26	Article 2 Protocol No. 1 (right to education)	Articles 15, 16, 17, 22  — no provision but extensive restrictions - ‘claw-back’ clauses make a general derogation clause unnecessary
Derogability	Article 4	Article 27	Article 15	

\*Although the [American Declaration of the Rights and Duties of Man](#) (1948) is not included here, it is important in light of the work of the work of the Inter-American Commission on Human Rights (see the Human Rights Reference Handbook).